

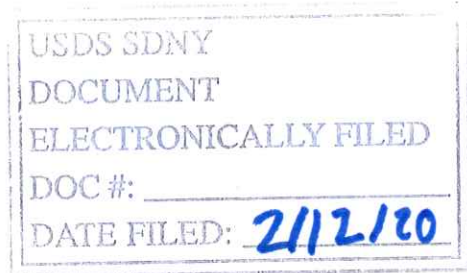
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

VINCENT TERRACCIANO,

Defendant.



No. 16-cr-522-20 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

On May 24, 2017, Defendant pleaded guilty to one count conspiracy to traffic contraband cigarettes, in violation of 18 U.S.C. § 2342. (Doc. No. 907.) On September 25, 2017, the Court sentenced Defendant principally to time served (one day) and a supervised release term of three years with two months' home confinement. (Doc. No. 1092.) The Court is now in receipt of a letter from Defendant, dated February 5, 2020, requesting early termination of supervised release (Doc. No. 1764) and a letter from the government, dated February 7, 2020, opposing Defendant's request (Doc. No. 1766).

Pursuant to 18 U.S.C. § 3583(c), the Court "may, after considering factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) . . . terminate a term of supervised release and discharge the defendant . . . at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." *See United States v. Gammarano*, 321 F.3d 311, 315 (2d Cir. 2003) (noting that "district courts must consider the[se] factors" but that they need not "make specific findings of fact with respect to each of these factors"). The

Court has considered the parties' submissions as well as the Section 3553 factors outlined above, and finds that early termination of Defendant's supervised release would not be in the interest of justice, particularly in light of the fact that the Court imposed a non-custodial sentence and the fact that the requirements of Defendant's supervised release are not particularly onerous. Accordingly, IT IS HEREBY ORDERED THAT Defendant's request is DENIED.

SO ORDERED.

Dated: February 12, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation